

United States District Court  
Northern District of New York

## JUDGMENT IN A CIVIL CASE

**JUDY C. MAGEE,**

**Plaintiff,**

**V.**

**CASE NUMBER: 5:05-cv-413**

**MICHAEL J. ASTRUE,**

**Defendant.**

- ☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- ☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that Magistrate Judge Peebles' June 12, 2007 Report and Recommendation is ADOPTED in its entirety; the Commissioner's decision is AFFIRMED and Plaintiff's complaint is DISMISSED.

All of the above pursuant to the order of the Honorable Judge Frederick J. Scullin, Jr., dated the 9th day of September, 2008.

**DATE: September 10, 2008**

**LAWRENCE K. BAERMAN  
CLERK OF COURT**

s/

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**By: Lori M. Welch  
Deputy Clerk**